



DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN APPLICATION DATA SHEET (37 CFR 1.76)

Title of Invention ABUSE-DETERRENT PHARMACEUTICAL COMPOSITIONS OF OPIOIDS AND OTHER DRUGS

As the below named inventor(s), I/we declare that:

This declaration is directed to:

- ☐ The attached application, or
☒ Application No. 10/614,866, filed on July 7, 2003,
☐ as amended on _____ (if applicable);

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/ we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT International filing date of the continuation-in-part application.

All statements made herein of my/own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

FULL NAME OF INVENTOR(S)

Inventor one: Jane Hirsh

Signature: Jane Hirsh

Citizen of: USA

Inventor two: Alexander M. Klibanov

Signature: Alexander M. Klibanov

Citizen of: USA

Inventor three: Timothy M. Swager

Signature: Timothy M. Swager

Citizen of: USA

Inventor four: Stephen L. Buchwald

Signature: Stephen L. Buchwald

Citizen of: USA

☒ Additional inventors are being named on 1 additional form(s) attached hereto.

Burden Hour Statement: This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is used by the public to file (and the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 1 minute to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



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FULL NAME OF INVENTOR(S)

Inventor one: Whe Yong Lo

Signature: *Whe Yong Lo* Citizen of: USA

Inventor two: Alison Fleming

Signature: *Alison Fleming* Citizen of: USA

Inventor three: Roman V. Rariy

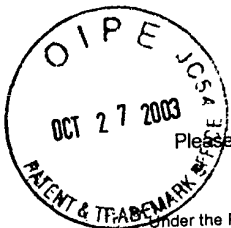
Signature: *Roman V. Rariy* Citizen of: Russia

Inventor four: _____

Signature: _____ Citizen of: _____

☐ Additional inventors are being named on _____ additional form(s) attached hereto.

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Please type a plus sign (+) inside this box → ☐

PTO/SB/81 (02-01)
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POWER OF ATTORNEY OR AUTHORIZATION OF AGENT

Application Number	10/614,866
Filing Date	July 7, 2003
First Named Inventor	Jane Hirsh
Title	Abuse-Deterrent Pharmaceutical Compositions of Opioids and Other Drugs
Group Art Unit	1615
Examiner Name	
Attorney Docket Number	CP 100

I hereby appoint:

☒ Practitioners at Customer Number

23579



OR

☐ Practitioner(s) named below:

Name	Registration Number
Patrea L. Pabst	31,284
Zhaoyang Li	46,872
Rivka D. Monheit	48,731
Todd S. Hofmeister	53,029

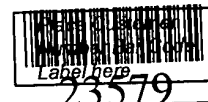
as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please change the correspondence address for the above-identified application to:

☒ The above-mentioned Customer Number.

OR

☐ Practitioners at Customer Number



☐ Firm or
Individual Name

Patrea L. Pabst; Holland & Knight LLP

PATENT TRADEMARK OFFICE

Address

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Address

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City

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State

GA

Zip

30309-3400

Country

USA

Telephone

(404) 817-8473

Fax

(404) 817-8588

I am the:

☐ Applicant/Inventor.

☒ Assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

SIGNATURE of Applicant or Assignee of Record

Name

Signature

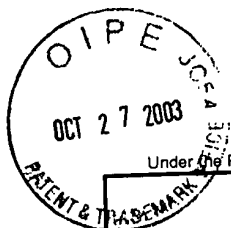
Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

*Total of forms are submitted.

Burden Hour Statement: This form is estimated to take 3 minutes to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

CP 100 - 085337/00002



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STATEMENT UNDER 37 CFR 3.73(b)

Jane Hirsh, Alexander M. Klibanov, Timothy M. Swager, Stephen L. Buchwald,
Applicant/Patent Owner: Whe Yong Lo, Alison B. Fleming, and Roman V. Rariy
Application No./Patent No.: 10/614,866 Filed/Issue Date: July 7, 2003
Entitled: Abuse-Deterrent Pharmaceutical Compositions of Opioids and Other Drugs
Collegium Pharmaceutical, Inc., a corporation of the State of Delaware,
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.
The extent (by, percentage) of its ownership interest is _____ %

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
2. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
3. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

- ☐ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

8/5/03
Date

Michael Hoffmann
Typed or printed name
[Signature]
Signature
President
Title

ASSIGNMENT

We, Jane Hirsh of 15 Peirce Road, Wellesley, Massachusetts 02518;
Alexander M. Klibanov of 45 The Ledges Road, Newton, Massachusetts 02460;
Timothy M. Swager of 18 Copley Street, Newton, Massachusetts 02458;
Stephen L. Buchwald of 25 Lancaster Road, Newton, Massachusetts 02558; Whe Yong Lo
of 65 Bayberry Road, Canton, Massachusetts 02021; Alison B. Fleming of 8 Atlantic Street,
Marshfield, Massachusetts 02050; and Roman V. Rariy of 245 Kelton Street,
Apartment #42, Allston, Massachusetts 02134, in consideration of ten dollars and other
valuable consideration paid to us by Collegium Pharmaceutical, Inc., a corporation of the
State of Delaware, having its principal place of business at 400 Highland Corporate Drive,
Cumberland, Rhode Island 02864 (hereinafter "said Assignee"), the receipt of which is
hereby acknowledged, do hereby sell, assign and transfer unto said Assignee, its successors
and assigns, the entire interest for the United States of America, and its territories and all
foreign countries and jurisdictions, including all rights of priority under the International
Convention for the Protection of Industrial Property, in a certain invention or
improvement in "*Abuse-Deterrent Pharmaceutical Compositions of Opioids and Other
Drugs*" described in U.S. Serial No. 10/614,866 filed in the United States Patent
and Trademark Office on July 7, 2003 by Jane Hirsh, Alexander M. Klibanov,
Timothy M. Swager, Stephen L. Buchwald, Whe Yong Lo, Alison B. Fleming, and
Roman V. Rariy, and in the five (5) provisional applications to which priority is claimed,
being U.S. Provisional Application Serial Nos. 60/393,876 filed on July 5, 2002; 60/436,523
filed December 23, 2002; 60/443,226 filed January 28, 2003; 60/463,514 filed April 15, 2003;
and 60/463,518 filed April 15, 2003, and in all Letters Patent of the United States and its
territories and all foreign countries and jurisdictions which may or shall be granted on said
invention, or any parts thereof, or on said application, or any provisional, divisional,
continuation, continuation-in-part, reissue, or other applications based in whole or in part
thereon. And we agree, for ourselves and our executors and administrators, with said
Assignee and its successors and assigns, but at its or their expense or charges, hereafter to
execute all applications, amended specifications, deeds or other instruments, and to do all
acts necessary or proper to secure the grant of Letters Patent in the United States and its
territories and in all other foreign countries and jurisdictions to said Assignee, with

Title: "Abuse-Deterrent Pharmaceutical
Compositions of Opioids and Other Drugs"

By: Jane Hirsh, Alexander M. Klibanov, Timothy M. Swager,
Stephen L. Buchwald, Whe Yong Lo, Alison B. Fleming, and Roman V. Rariy

Filed: July 7, 2003
ASSIGNMENT

specifications and claims in such form as shall be approved by the counsel of said Assignee, and to vest and confirm in said Assignee, its successors and assigns, the legal title to all such patents.

And we do hereby authorize and request the Commissioner of Patents and Trademarks of the United States to issue such Letters Patent as shall be granted upon said application or applications based thereon to said Assignee, its successors and assigns.

WITNESS my hand and seal this 5th day of August, 2003.

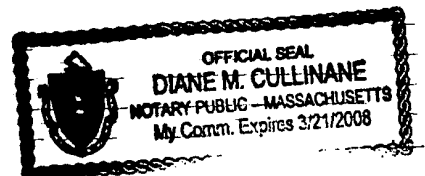
Jane Hirsh
Jane Hirsh

State of Massachusetts)
County of Plymouth)

Then personally appeared the above named Jane Hirsh and acknowledged the foregoing instrument to be her free act and deed, before me this 5th day of August, 2003.

Diane M. Cullinane
Notary Public

My Commission expires: 3/21/08



Title: "Abuse-Deterrent Pharmaceutical
Compositions of Opioids and Other Drugs"

By: Jane Hirsh, Alexander M. Klibanov, Timothy M. Swager,
Stephen L. Buchwald, Whe Yong Lo, Alison B. Fleming, and Roman V. Rariy

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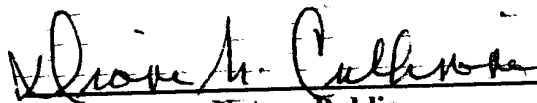
WITNESS my hand and seal this 5th day of August, 2003.



Alexander M. Klibanov

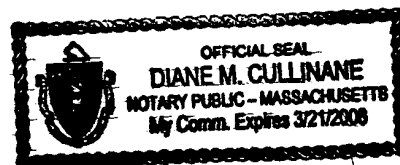
State of Massachusetts)
County of Plymouth)

Then personally appeared the above named Alexander M. Klibanov and
acknowledged the foregoing instrument to be his free act and deed, before me this 5th
day of August, 2003.



Notary Public

My Commission expires: 3/21/2008

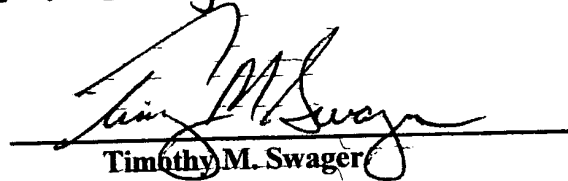


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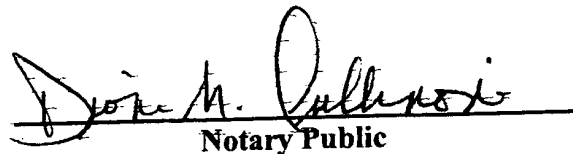
Filed: July 7, 2003
ASSIGNMENT

WITNESS my hand and seal this 5th day of August, 2003.


Timothy M. Swager

State of Massachusetts)
County of Plymouth)

Then personally appeared the above named Timothy M. Swager and acknowledged
the foregoing instrument to be his free act and deed, before me this 5th day of
August, 2003.


Notary Public

My Commission expires: 3/21/2008



Title: ~~"Abuse-Deterrent Pharmaceutical~~

~~Compositions of Opioids and Other Drugs"~~

By: Jane Hirsh, Alexander M. Klibanov, Timothy M. Swager,

Stephen L. Buchwald, Whe Yong Lo, Alison B. Fleming, and Roman V. Rariy

Filed: July 7, 2003

ASSIGNMENT

WITNESS my hand and seal this 5th day of August, 2003.

Stephen L. Buchwald

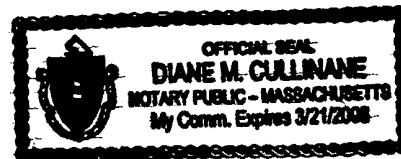
Stephen L. Buchwald

State of Massachusetts)
County of Plymouth)

Then personally appeared the above named Stephen L. Buchwald and
acknowledged the foregoing instrument to be his free act and deed, before me this 5th
day of August, 2003.

Diane M. Cullinane
Notary Public

My Commission expires: 3/21/2008



Title: "Abuse-Deterrent Pharmaceutical

Compositions of Opioids and Other Drugs"

By: Jane Hirsh, Alexander M. Klibanov, Timothy M. Swager,

Stephen L. Buchwald, Whe Yong Lo, Alison B. Fleming, and Roman V. Rariy

Dated: July 7, 2003

ASSIGNMENT

WITNESS my hand and seal this 5th day of August, 2003.

Whe Yong Lo
Whe Yong Lo

State of Massachusetts)
County of Plymouth)

Then personally appeared the above named Whe Yong Lo and acknowledged the foregoing instrument to be his free act and deed, before me this 5th day of August, 2003.

Diane M. Cullinane
Notary Public

My Commission expires: 3/21/08



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Filed: July 7, 2003

ASSIGNMENT

WITNESS my hand and seal this 5th day of August, 2003.

Alison B. Fleming
Alison B. Fleming

State of Massachusetts)
County of Plymouth)

Then personally appeared the above named Alison B. Fleming and acknowledged the foregoing instrument to be her free act and deed, before me this 5th day of August, 2003.

Diane M. Cullinane
Notary Public

My Commission expires: 3/21/2008



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Filed: July 7, 2003

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WITNESS my hand and seal this 5th day of August, 2003.

Roman V. Rariy
Roman V. Rariy

State of Massachusetts
County of Plymouth

Then personally appeared the above named Roman V. Rariy and acknowledged the foregoing instrument to be his free act and deed, before me this 5th day of August, 2003.

Diane M. Cullinane
Notary Public

My Commission expires: 3/21/2008

